Better use has been made of association and this powerful instrument of action has been applied to more varied aims in America than anywhere else in the world.

If some obstacle blocks the public road halting the circulation of traffic, the neighbors at once form a deliberative body; this improvised assembly produces an executive authority which remedies the trouble before anyone has thought of the possibility of some previously constituted authority beyond that of those concerned.[1] -- **Alexis de Tocqueville, 1831**

Triple S Transportation Association

The utilization of an "association", so praised by de Tocqueville a century and a half ago, is needed once again -- both to "keep the traffic moving" and to eradicate the use of alcohol and drugs among transportation employees on the job or before coming to work so that traffic can move safely.

On April 15, 1987, the Senate Committee on Commerce, Science and Transportation reported S. 1041, the Transportation Employee Safety and Rehabilitation Act of 1987 by a vote of 19 - 1. The bill represents the latest assault by the Congress on a problem which must be solved-- the use of alcohol or drugs by transportation employees on the job or before coming to work.

The Committee Report points out that:

> Drug and alcohol abuse has become an increasing problem in the workplace. Substance abuse leads to impaired memory, lethargy, reduced coordination, and a whole series of changes in heart, brain and lung functions. These symptoms in workers have resulted in lost productivity for American business of as much as $100 billion a year, with significant increases in employee accident rates, health care costs, and absenteeism.
>
> In the transportation sector, the costs of drug and alcohol use are clearly magnified....[2]

As the bill moves through the legislative process the relevant question is

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[1] Alexis de Tocqueville, Democracy in America, Edited by J.P. Mayer (Anchor Books, Doubleday & Co. New York, 1969) p.189

[2] Sen. Rep. 100-43, p. 2.

whether its provisions are sufficient enough to do the job of eradicating alcohol and drug abuse from the transportation industry? A more important question may be whether the transportation industry itself should pull together to get the job done with a minimum of government regulation?

Co-operative Solution

The notion of transportation companies combining their efforts to combat the common problem of alcohol and drug abuse by their employees is not new. During each of the last two Congresses the House of Representatives passed a bill to encourage railroad companies to combined to form a private, nonprofit corporation financially supported by individual railroad employees and railroad companies, to support and promote--

> (1) vigilant peer intervention to avoid violations among railroad employees of Rule G of the Association of American Railroads' Standard Code of Operating Rules (prohibition of drug or alcohol use on the job or before coming to work);
>
> (2) early identification and treatment of railroad employees addicted to alcohol or drugs;
>
> (3) programs to foster awareness and prevention of alcohol or drug abuse within the railroad industry; and
>
> (4) improved utilization of effective Employee Assistance Programs with respect to alcohol and drug abuse.[3]

Unfortunately, neither bill was acted upon by the Senate because the authorization measures for railroad safety encompassed by the two House bills were included in omnibus appropriation bills. Nevertheless, Chairman John Dingell's report of his Committee's action in this regard is instructive:

> "Alcoholics Anonymous" and similar programs have also proved quite effective outside the railroad industry in rehabilitating alcohol and drug abusers. The Committee believes a similar organization could be successful in dealing with these problems in the railroad industry. The bill requires the Secretary to encourage the formation of such

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3 98th Congress, HR 5585, House Report 98-795; 99th Congress, HR 2372, House Report 99-147.